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8 Attorney for Defendant,
9 PEDRO LOPEZ, JR.

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11
12 IN THE UNITED STATES DISTRICT COURT
13
14 EASTERN DISTRICT OF CALIFORNIA, FRESNO

15 * * * * *

16 UNITED STATES OF AMERICA,) Case No.: CR-F-03-5165 OWW
17)
18 Plaintiff,) STIPULATION AND ORDER CONTINUING
19) SENTENCING HEARING
20)
21 vs.)
22)
23 PEDRO LOPEZ, JR.,)
24)
25 Defendant.)
26)
27)
28)

IT IS HEREBY STIPULATED between the Defendant, PEDRO LOPEZ, JR., by and through his legal counsel, Anthony P. Capozzi and Roger J. Rosen, and the Plaintiff, United States of America, by and through Assistant United States Attorney Kathleen A. Servatius, that the sentencing hearing set for Monday, September 26, 2005, be continued to Monday, October 17, 2005, at 1:30 p.m.

The parties further agree that any delay resulting from this continuance shall be excluded on the basis of Title 18, United States Code, Section 3161(h)(8)(A), to wit: The ends of justice

1 served by taking such action outweighs the best interest of the
2 public and the defendant in a speedy trial.

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4 Respectfully submitted,

5 Dated: September 19, 2005

/s/ Anthony P. Capozzi
Anthony P. Capozzi,
Attorney for Defendant,
Pedro Lopez, Jr.

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10 Dated: September 19, 2005

/s/ Roger J. Rosen
Roger J. Rosen,
Attorney for Defendant,
Pedro Lopez, Jr.

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14 Dated: September 19, 2005

/s/ Kathleen A. Servatius
Kathleen A. Servatius,
Assistant U.S. Attorney

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18 **ORDER**

19 IT IS SO ORDERED. Good cause having been shown, the Sentencing
20 Hearing set for September 26, 2005, is vacated and continued to
21 October 17, 2005 at 1:30 p.m. Additionally, time shall be excluded
22 by stipulation from the parties and pursuant to 18 USC §§
23 3161(h)(A).
24

25 Dated: September _23_, 2005

26 /s/ OLIVER W. WANGER

Honorable Oliver W. Wanger
U.S. District Court Judge